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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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			2623	

DATE MAILED: 10/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,444

Applicant(s)

KRIEGER ET AL.

Examiner

Ngoc K. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/12/02</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: the original specification does not support the limitations “using the data representing the video programs previously viewed to specify parameters for filtering, such that the individual video programs displayed after filtering do not contain the video programs previously viewed” recited in claim 27. However, the original specification only describes the features of “Seen it” button 210 included in interface image 116 and/or the electronic programming guide to indicate a particular video program has been previously viewed so that it allows the viewer to skip programs previously viewed (Specification: page 20, last paragraph). Accordingly, the original specification does not describe the feature of displaying video programs after filtering do not contain the video programs previously viewed as claimed. Appropriate correction is required.

Claim Objections

2. Claims 1, 17, 31, and 35 are objected to because of the following informalities:

With respect to claim 1, the terms “the video content information” recited in line 4 seem to refer to “associated video content information” which is previous defined in line 2. Therefore, the terms “the video content information” should change to “the associated video content information” or appropriate correction is required.

With respect to claim 17, the terms “the information select module” recited in lines 2-3 seem to refer to “video information select module” which is previously defined in lines 1-2. Therefore, the terms “the information select mode” should change to “the video information select module” or appropriate correction is required.

With respect to claim 31, the terms “the a particular video program” in line 9 should change to “a particular video program”.

With respect to claim 35, the terms "the interface image" recited in line 2 seem to refer to "first interface image" which is previously defined in line 15 of claim 31. Therefore, the terms "the interface image" in line 2 should change to "the first interface image" or appropriate correction is required.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 28-30 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows.

Claim 28 defines a computer readable medium embodying functional descriptive material. However, the terms "a computer-readable medium carrying computer-executable instructions" (emphasis added) do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized, and is thus non-statutory for this reason. Any amendment to the claim should be commensurate with its corresponding disclosure. The examiner suggests amending the claim 28 for terms "a computer-readable medium carrying computer-executable instructions" to change to -- a computer-readable medium encoded with computer-executable instructions-- or equivalent in order to make the claim statutory.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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7. Claims 11, 15, 16, and 34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11 recites the limitation "the supplemental content interface image, said supplemental content interface image" in line 4-5. There is insufficient antecedent basis for this limitation in the claim.

Claims 15-16 recite the limitation "the supplemental content interface image" in line 4 of claim 15 and lines 2 and 6-7 of claim 16. There is insufficient antecedent basis for this limitation in the claim.

Claim 34 recites the limitation "the supplemental content interface image" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-26 and 28-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Thomas et al. (US 20020042920 A1).

Regarding claim 1, Thomas teaches in a multimedia system (see figures 2A-4) that includes a processing device (200) for receiving and processing video programming and associated video content information and a display device (280 – figure 3) for displaying the

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video programming, a method of providing interactive access to the video programming and the video content information, comprising the acts of:

receiving at the processing device video content information (information related to media or movie such as program listings) associated with video programming that is scheduled to be broadcast (0046, 0057 and figures 5-8);

displaying on the display device (280) a first interface image (450 – figure 5) that presents the video content information for a particular video program of the video programming (for instance, displaying information such as “98 COM BENNY HILL” by selecting one of options 452 from screen 450, e.g., “By Time” – see figures 5 & 8), the first interface image being linked to other interface images (500, 700, 750, 800 – see figures 6-9) associated with supplemental content information associated with the particular video program (for instance, displaying further information such as detailed description of a movie “Meet The Parents” by selecting the movie from the listing from screens 700 or 750 and further from screens 450 and 500 - see figures 5-9, 0084, 0085); and

in response to viewer input, displaying on the display device a second interface image (900 – figure 11) that presents the supplemental content information related to a specified category of the video content information (e.g., actor interview 906, cast info 908, music videos 912, etc. – see figures 11-20).

Regarding claim 2, Thomas teaches that the receiver presents list of programs corresponding to program titles or channels as shown in figures 7-8 (see figures 7-8; 0077, 0078). This encompasses the feature of receiving video identification information that correlates the video content information with the associated particular video program.

Regarding claim 3, Thomas teaches wherein the first interface image further presents operation information (within 452) (i.e., PVR for access features or information of a personal

video recorder) on the display device and enables the viewer to provide input to the processing device that causes the processing device to perform a specified operation with respect to the particular video program (e.g., recording a program – see figure 5, 0076).

Regarding claim 4, Thomas teaches receiving from the viewer said input to the processing device; and performing the specified operation, wherein the specified operation includes displaying the particular video program (e.g., the viewer can select one of features 452 to further display the movie “Meet The Parents” see 0078 and figures 7-8, 11).

Regarding claim 5, Thomas teaches receiving from the viewer said input to the processing device; and performing the specified operation, wherein the specified operation includes recording the particular video program (i.e., selecting PVR for recording the particular movie - see figure 5, 0076).

Regarding claim 6, Thomas teaches receiving from the viewer said input to the processing device; and performing the specified operation, wherein the specified operation includes issuing a reminder that the specified video program is to be broadcast (0080).

Regarding claim 7, Thomas teaches that the first interface image presents search functionality (SEARCH feature in figure 5) performing filter operations to identify video programs that meet the search criteria such as keywords, title search, or actor search (see 0077 and figure 5).

Regarding claim 8, Thomas teaches in a multimedia system (see figures 2A-4) that includes a processing device (200) for receiving and processing video programming and associated video content information and a display device (280 – figure 3) for displaying the video programming, a method of providing interactive access to the video programming and the video content information, comprising the acts of:

receiving at the processing device video content information associated with video programming that is scheduled to be broadcast (information related to media or movie such as program listings) (0046, 0057 and figures 5-8);

displaying on the display device (280) a first interface image (450 – figure 5) that presents the video content information for a particular video program of the video programming (for instance, displaying information “98 COM BENNY HILL” by selecting one of options from screen 450, e.g., “By Time – see figures 5 & 8), the first interface image being linked to other video programs (e.g., by selecting BY TIME, BY CHANNEL, MOVIES, VOD, etc. in 452 - see figures 5-8); and

in response to viewer input, displaying on the display device a second interface image (900 – figure 11) that presents the video content information for one of said other video programs to which the first interface image is linked (i.e., detailed description of movie “Meet The Parents” as shown in figure 9).

Regarding claim 9, Thomas teaches that the receiver presents list of programs corresponding to program titles or channels as shown in figures 7-8 (see figures 7-8; 0077, 0078). This encompasses the feature of receiving video identification information that correlates the video content information with the associated particular video program.

Regarding claim 10, Thomas teaches wherein the first interface image further presents operation information (within 452) (i.e., PVR for access features or information of a personal video recorder) on the display device and enables the viewer to provide input to the processing device that causes the processing device to perform a specified operation with respect to the particular video program (e.g., recording a program – see figure 5, 0076).

Regarding claim 11, Thomas teaches providing a supplemental content interface (1000 – see figure 12) associated with a specified category of the video content information displayed

on the first interface image (e.g., Set up from screen 450 in figure 5); and in response to viewer input, displaying on the display device the supplemental content interface image (1002), said supplemental content interface image containing supplemental video content information associated with the specified category of the video content information displayed on the first interface image (see figure 12; 0092, 0099).

Regarding claim 12, Thomas teaches providing synopsis information, rating information, and actor information (0084).

Regarding claim 13, Thomas teaches providing a plurality of supplemental content interfaces images (1002 – figure 12; 1502 – figures 18-19; 1702 – figure 20), each interface video content information image being associated with a specified category of the displayed on the first interface image (e.g., set up – see 0092); and in response to viewer input, displaying on the display device one of the plurality of supplemental content interface images (e.g., 1002) corresponding with the specified category of the video content information selected by the viewer (see 0099).

Regarding claim 14, Thomas teaches that the plurality of supplemental content interface images comprise web pages (links to web pages as shown in 1602, 1702 – see figures 19-20; 0113).

Regarding claim 15, Thomas teaches that the specified category of the video content information comprises actor information (i.e., actor interviews); and wherein the supplemental content interface image comprises an actor information containing biographical and filmographical information for the selected actor (actor interviews, cast information - 0106; figures 11-15).

Regarding claim 16, Thomas teaches that the supplemental content interface image is linked to other video programs of the video programming (by providing a list of titles for on-

demand media – see 0113, 0114); and in response to viewer input, displaying on the display device another interface image that presents the video content information for one of said other video programs to which the supplemental content interface image is linked (see 0114).

Regarding claim 17, Thomas teaches providing a video information select module (interactive application) including video identification information, the information select module enabling the viewer to request the first interface image (screen 450 as shown in figure 5) and the corresponding video content information (see 0072).

Regarding claim 18, Thomas teaches that the video information select module is linked to a listing on an EPG (see figures 5-8).

Regarding claim 19, Thomas teaches that the video information select module is linked to a display of a video program (0072).

Regarding claim 20, Thomas teaches the feature of PVR for recording programs as shown in figure 5 (see figure 5; 0076).

Regarding claim 21, Thomas teaches that the video information select module is linked to search results provided in response to a search for video programming conducted by a viewer (figure 5, 0077).

Regarding claims 22-25, Thomas teaches that the first interface image presents search functionality (SEARCH feature in figure 5) performing filter operations to identify video programs that meet the search criterion by keywords search, title search, and/or actor search (see 0077 and figure 5).

Regarding claim 26, Thomas teaches in a multimedia system (see figures 2A-4) that includes a processing device (200) for receiving and processing video programming and associated video content information and a display device (280 – figure 3) for displaying the

video programming, a method of providing interactive access to the video programming and the video content information, comprising the acts of:

receiving, at the processing device, video content information (information related to media or movie such as program listings) associated with video programming that is scheduled to be broadcast (0046, 0057 and figures 5-8);

displaying on the display device (280) an electronic programming guide (figures 5 & 8) that indicates the video programming that is to be broadcast, wherein the programming guide specifies at least a time of broadcast (i.e., 8PM) and a channel of broadcast for specific video programs of the video programming ("98 COM BENNY HILL", "99 MTV" – see figure 8);

applying parameters for two or more filters to the video programming, such that the number of individual video programs of the video programming that is displayed on the electronic programming guide is reduced (providing programs lists organized by two or more genres, e.g., sports, children, etc. – see figure 5).

Regarding claim 28, Thomas teaches a computer program product for implementing, in a multimedia system (see figures 2A-4) that includes a processing device (200) for receiving and processing video programming and associated video content information and a display device (280 – figure 3) for displaying the video programming, a method of providing interactive access to the video programming and the video content information, the computer program product comprising: a computer-readable medium carrying computer-executable instructions for implementing the method (see 0064), wherein the computer-executable instructions, when executed, cause the processing device to perform the act of:

receiving at the processing device video content information (information related to media or movie such as program listings) associated with video programming that is scheduled to be broadcast (0046, 0057 and figures 5-8);

displaying on the display device (280) a first interface image (450 – figure 5) that presents the video content information for a particular video program of the video programming (for instance, displaying information “98 COM BENNY HILL” by selecting one of options from screen 450, e.g., “By Time – see figures 5 & 8), the first interface image being linked to other video programs (e.g., by selecting BY TIME, BY CHANNEL, MOVIES, VOD, etc. in 452 - see figures 5-8); and

in response to viewer input, displaying on the display device a second interface image (900 – figure 11) that presents the video content information for one of said other video programs to which the first interface image is linked (i.e., detailed description of movie “Meet The Parents” as shown in figure 9).

Regarding claim 29, Thomas teaches wherein the first interface image further presents operation information (within 452) (i.e., PVR for access features or information of a personal video recorder) on the display device and enables the viewer to provide input to the processing device that causes the processing device to perform a specified operation with respect to the particular video program (e.g., recording a program – see figure 5, 0076).

Regarding claim 30, Thomas teaches that the first interface image presents search functionality (SEARCH feature in figure 5) performing filter operations to identify video programs representing a subset of the video programming that is scheduled to be broadcast (see 0077 and figure 5).

Regarding claim 31, Thomas teaches in a multimedia system (see figures 2A-4) that includes a processing device (200) for receiving and processing video programming and associated video content information and a display device (280 – figure 3) for displaying the video programming, a method of providing interactive access to the video programming and the video content information, comprising the acts of:

receiving at the processing device video content information and video identification information associated with video programming that is scheduled to be broadcast (information related to media or movie such as program listings); receiving at the processing device video programming being broadcast (0046, 0057 and figures 5-8, 11);

displaying on the display device (280) a particular video program of the video program (e.g., movie "Meet The Parents" – see figure 11);

providing a video information select module (902, 912) that is selectable while the particular video program is being displayed (see figure 11), wherein the video information select module allows the user to request video content information (see figures 11, 12 & 18; 0097-0111);

in response to a viewer request for video content information, displaying on the display device a first interface image (within application 1502 – figure 19) that presents the video content information for the particular video program, the first interface image being linked to supplemental content interfaces (via links shown in 1602, e.g., web pages or other applications) (figure 19; 0112).

Regarding claim 32, Thomas teaches the first interface image (within application 1502) is linked to other video programs of the video programming (e.g., link to artist's official website providing music video programs - 0112).

Regarding claim 33, Thomas teaches that the first interface image presents search functionality (SEARCH feature in figure 5) performing filter operations to identify video programs representing a subset of the video programming that is scheduled to be broadcast (see 0077 and figure 5).

Regarding claim 34, Thomas teaches that the supplemental content interface image (screen 750 – figure 8) is linked to other video programs of video programming (listings 754 &

756 – figure 8); and in response to viewer input, displaying on the display device another interface image that presents the video content information for one of said other video programs to which the supplemental content interface image is linked (for instance, the receiver displays a next screen to show program content information of a selected program from one of the listings 754 & 756 – see figure 8, 0084).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al. (US 20020042920 A1) in view of Rodriguez et al. (US 20060026665 A1).

With respect to claim 27, Thomas does not explicitly teach displaying video programs after filtering do not contain video programs previously viewed. However, Rodriguez teaches filtering feature comprising a filtering category included a movies already viewed criteria that is used to remove or filter out media titles from media title lists that are presented to the user (see 0055). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Thomas by filtering movies already viewed to remove or filter out media titles from media title lists that are presented user as taught by Rodriguez in order to effectively reduce time to navigate the lists.

12. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al. (US 20020042920 A1) in view of Sai et al. (US 6,822,661 B2).

With respect to claim 35, Thomas teaches displaying application 1502 as shown in figure 19. Thomas does not explicitly teach displaying an icon indicating the video programs having previously been viewed. However, Sai teaches displaying a visual indicator or icon indicating the video program already viewed (see abstract, figure 6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of the system of Thomas by displaying an icon indicating the video program having previously been viewed as taught by Sai in order to visually notify the user the already viewed programs.

Conclusion

13. Sherr et al. (US 20020032905 A1) teaches online digital video signal transfer apparatus and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ngoc K. Vu
Primary Examiner
Art Unit 2623

October 16, 2006